

CONTRACTOR FHWA REPORTING GUIDE

INTRODUCTION

This guide applies to any contractor, Prime or Subcontractor, working on a Federal Highway Administration-funded (FHWA) project within the month of July, and is required to submit the FHWA 1391 annual EEO report.

The following topics will be reviewed in this training material:

- How to run the FHWA 1391 Report
- How to enter information for non-prevailing wage workers (supervisors, clerical staff, etc . . .) through the “FWHA Additional Data Entry” page
- How to run the “FWHA Additional Data Entry Report”
- How to run the “FWHA Contractor Submittal Report”
- Important Notes on the 1391 Report
- Entering a Date Range When Running the FHWA 1391

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REPORTS

FHWA 1391 REPORT

The FHWA 1391 Report is an annual equal employment opportunity (EEO) report that reflects the workforce employed on the FHWA project during the last payroll period in July.

The report is combining the results of certified payroll report (CPR) data as well as any “FHWA Additional Data”, which is information submitted on non-prevailing wage workers, also employed during the last payroll period in July. Non-prevailing wage workers, as defined by FHWA, include officials (managers), supervisors, foremen/women, and clerical staff.

A separate report is to be generated for each individual project, as well as for each covered contract or subcontract on an individual project. To run the FHWA 1391 Report:

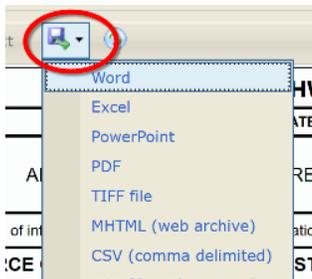
- Click on the Reports Tab
- Click the FHWA 1391 Report



The screenshot shows the 'FHWA 1391 Report' form with the following fields and values:

From Date	7/1/2018	To Date	7/31/2018	View Report
Status	Active	Projects	FHWA Testing, FHWA Testing 2	
Contractor	AMERICAN PAVING	Sub To	All assignments	

- Enter the applicable date range (Click here to learn more about what date range to enter.)
- Select the project status
- Select the project(s)
- Select the contractor
- Select the “Sub To” assignment
- Click on “View Report”
- To export the report, click on the diskette icon, as shown below



See below an example of the FHWA 1391 report:

FEDERAL-AID HIGHWAY CONSTRUCTION CONTRACTORS ANNUAL EEO REPORT																							
1. MARK APPROPRIATE BLOCK:		2. COMPANY NAME, CITY, STATE:				3. PROJECT NUMBER:				4. DOLLAR AMOUNT OF CONTRACT:				5. PROJECT LOCATION: (County and State)									
X Contractor — Subcontractor		D Goode Inc., Orange, CA				fedao				\$15,000.00				ORANGE COUNTY, CA									
This collection of information is required by law and regulation 23 U.S.C. 140a and 23 CFR Part 230. The OMB control number for this collection is 2125-0019 expiring in August, 2019.																							
6. WORKFORCE ON FEDERAL-AID AND CONSTRUCTION SITE(S) DURING LAST FULL PAY PERIOD ENDING IN JULY 2019 (INSERT YEAR)																							
TABLE A														TABLE B									
JOB CATEGORIES	TOTAL EMPLOYED		TOTAL RACIAL / ETHNIC MINORITY		BLACK OR AFRICAN AMERICAN		HISPANIC OR LATINO		AMERICAN INDIAN OR ALASKA NATIVE		ASIAN		NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER		TWO OR MORE RACES		WHITE		APPRENTICES		ON THE JOB TRAINEES		
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	
OFFICIALS	1	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SUPERVISORS	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	0	0
FOREMEN/WOMEN	0	1	0	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
CLERICAL	0	6	0	4	0	1	0	3	0	0	0	0	0	0	0	0	0	2	0	0	0	0	0
EQUIPMENT OPERATORS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
MECHANICS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TRUCK DRIVERS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
IRONWORKERS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
CARPENTERS	0	4	0	1	0	0	0	0	0	1	0	0	0	0	0	0	0	2	0	0	0	0	0
CEMENT MASONS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ELECTRICIANS	2	1	2	0	1	0	0	0	1	0	0	0	0	0	0	0	0	1	0	0	0	0	0
PIPEFITTER/PLUMBERS	5	2	4	0	2	0	1	0	1	0	0	0	0	0	0	0	1	2	0	0	0	0	0
PAINTERS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
LABORERS-SEMI SKILLED	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
LABORERS-UNSKILLED	5	3	4	1	2	0	1	0	1	1	0	0	0	0	0	0	1	1	0	0	0	0	0
TOTAL	15	17	11	7	6	1	2	4	3	2	0	0	0	0	0	0	4	6	0	0	0	0	0
TABLE C (Table B data by racial status)																							
APPRENTICES	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
OJT TRAINEES	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8. PREPARED BY: (Signature and Title of Contractors Representative)				9. DATE				10. REVIEWED BY: (Signature and Title of State Highway Official)				11. DATE											
				7/23/2019																			
Form FHWA-1391 (Rev. 09-13) PREVIOUS EDITIONS ARE OBSOLETE																							
1. number of employees were unwilling to self-identify so are not represented in this report. These employees had the ethnicity of "Not Specified", "Other" or no selection made.																							

NOTE: Employees with an ethnicity selection in LCPtracker of “Not Specified”, “Other”, or no selection made will not appear on this report at all. In the case that employees with one of these ethnicity selections performed work on the week being reported, there will be a footnote on the bottom of the report to reflect the number of employees that were “unwilling to self-identify”.

FHWA 1391 ADDITIONAL DATA ENTRY STATUS REPORT

The “FHWA 1391 Additional Data Entry” section is used to report “non-prevailing wage job categories” such as managers, supervisors, foreman, and clerical workers along with their respective demographics, such as gender and ethnicity.

As a contractor, you will be able to view results for your own company as well as any lower-tier subcontractors that you have hired on to the project.

This report gives a high-level overview of the FHWA Additional Data Entry submittals completed by contractors for each project. To find out if your company or any of your subcontractors have not submitted payroll and/or FHWA Additional Data, please run the FHWA Contractor Submittal Report, which is described [here](#).

- Click on Reports tab
- Click on FHWA 1391 Additional Data Entry Status Report.

FHWA 1391 Additional Data Entry Status Report

From Date	<input type="text" value="7/1/2018"/>	To Date	<input type="text" value="7/31/2018"/>	<input type="button" value="View Report"/>
Status	<input type="text" value="Active"/>	Contractor	<input type="text" value="D Goode Inc."/>	
Projects	<input type="text" value="Annie Olivene Convention Cent"/>	Sub To	<input type="text" value="Prime contractor for Annie Olivene"/>	

- Enter the applicable date range

- Select the contractor
- Select the project
- Select the “Sub To” assignment
- Click View Report.

1391 Additional Data Entry Status Report

2019

Report Date: 7/23/2019

Sr. No.	Contractor	Project	Sub To	Week End Date
1	D Goode Inc.	Annie Olivene Convention Center	Prime contractor	07/18/2018

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FHWA CONTRACTOR SUBMITTAL REPORT

This report will provide an overview of submitted CPRs as well as missing CPRs. Additionally, it lists if FHWA Additional Data entries have been submitted, if they were performing and/or non-performing, as well as how many employees were reported.

As a contractor, you will be able to view results for your own company as well as any lower-tier subcontractors that you have hired on to the project.

This will serve as a useful tool to review the reporting period and see if all CPRs have been certified by contractors as well as if FHWA Additional data has been submitted.

The report includes:

- Project Code
- Project Name
- Contractor Name
- Subcontractor To with Contract ID
- Performing CPRs Submitted in Date Range
- Non-Performing CPRs Submitted in Date Range
- Missing CPRs in Date Range
 - If a contractor does not have any CPRs submitted at all for the entire project, a note will display “No Data”
- Has FHWA Additional Data Been Submitted?
- Week-end Date of FWHA Additional Data Submitted
- Is FHWA Additional Data Performing or Non-performing?
- Total employed count submitted in the FHWA Additional Data

FHWA Contractor Submittal Report

Project Code	Project Name	Contractor Name	Sub To Contract Id	Performing CPRs Submitted in Date Range	Non-Performing CPRs Submitted in Date Range	Missing CPRs in Date Range	Has FHWA Additional Data Been Submitted?	Week-end Date of FHWA Additional Date Submitted	Is Additional Data Entry Performing or Non-performing?	Total Employed on FHWA Additional Data Entry
fedlc	Federal LevEI Center	D Goode Inc.	PRIME	2020-07-04 2020-07-11	2020-07-18 2020-07-25	2020-08-01	Yes	2020-07-04 2020-07-11	Performing	21
			PRIME	2020-07-04 2020-07-11	2020-07-18 2020-07-25	2020-08-01	Yes	2020-07-18 2020-07-25	Non-Performing	0
		Partoh Contractors	D Goode Inc.			No Data	No			

FHWA ADDITIONAL DATA ENTRY

ENTERING IN FHWA ADDITIONAL DATA ENTRY FOR CONTRACTORS

The “FHWA 1391 Additional Data Entry” section is used to report “non-prevailing wage job categories” such as managers, supervisors, foreman, and clerical workers along with their demographics of gender and ethnicity.

To Submit a Performing Work Week:

- Click on the “1. Payroll Records” tab
- Click on “FHWA 1391 Additional Data Entry”
- Select the project and contract (if there are multiple contracts)
 - **Note:** Only projects that have been marked as FHWA 1391/1392 projects by your Administrator will appear on this list.
- Select “Week End Date” from the available dropdown.
 - **Note:** You will use the same date that was used on the last performing pay period submitted for the certified payroll.
- Enter your workforce data under the columns with ethnicities listed
- The columns with totals, the “Total Employed” and “Total Minorities” will auto-populate based on what is entered into the table.
- Enter your name, title, and electronic signature password (eSignature)

Non-Performance Submittals

- Contractors can mark their FHWA Additional Data Entry submittals as non-performance.
- Check the box “Non-Performance”
- Enter your name, title, and electronic signature password (eSignature)

FHWA Additional Data Entry

Filters

Project | Sub To | Contract Id * Week End Date *

Antle Olivene Convention Center | Lev's Engineering 7/1/2020

Non-Performance - We certify that our company did not have any employees of the specified Job Categories employed on the selected project for the week-end date submitted.

Data Entry

Job Categories	Total Employed		Total Minorities		White (Not of Hispanic Origin)		Black (Not of Hispanic Origin)		Hispanic		American Indian or Alaskan Native		Asian		Native Hawaiian or Other Pacific Islander		Two or More Races	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Officials (Managers)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Supervisors	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Foreman/Women	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Clerical	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Submitted By * Required Title of Submitted By * Required E Signature Password * Required

Reset Cancel Save

Note: The first four columns will auto populate when data is entered in the remaining fields as these are “Totals” from other sections.

FREQUENTLY ASKED QUESTIONS

We recommend that you review the important notes located below. The information contained will alleviate some of the most frequently asked questions and concerns when it comes to complying with the FHWA 1391 report requirements.

LOGIC CONTAINED IN THE 1391 REPORT

- “**Table A**”, lists a count of ALL employees reported for the week, which includes Journeymen, Apprentices, OJTs, and non-prevailing wage staff reported through the “FHWA Additional Data Entry” page.
- “**Table B**” and “**Table C**” will show only employees submitted as Apprentices or OJT/Trainees.
- Any employee that works as more than one craft in the monitored week will only be shown **ONCE** on the report. The craft selected will be:
 - The craft with the greatest number of hours worked
 - If the crafts have the same number of hours worked, then the more skilled craft will be selected. The following hierarchy was used in terms of **most** skilled to the **least** skilled:
 - Electricians
 - Mechanics
 - Equipment Operators
 - Ironworkers
 - Carpenters
 - Cement Masons
 - Pipefitter/Plumbers
 - Truck Drivers
 - Painters
 - Laborers-Semiskilled
 - Laborers-Unskilled
 - Apprentice
 - OJT or Trainee
- If a Contractor has more than one contract on the same project, they will be counted **separately**. This means if one employee works for the Contractor on a single project but on two or more separate contracts, **they will be counted twice** on the 1392 Report.
 - This logic is determined by 23 CFR 230.121 (a)(2), which states:
(2) Form PR 1391 is to be completed by each contractor and each subcontractor subject to this part for every month of July during which work is performed and submitted to the State highway agency. A separate report is to be completed for each covered contract or subcontract.
- A Minority is considered any employee with an ethnicity other than “Caucasian” and **excludes** any employees that have “Not Specified”, “Other” or no selection made.

- Apprentices will be counted by looking for "APPR" or "Apprentice" in the Craft **OR** Classification on the prevailing wage data entered for the project
- OJT or Trainees will be counted by "OJT" or "TRAINEE" in the Craft **OR** Classification on the prevailing wage data entered for the project

ENTERING A DATE RANGE

The FHWA defines the **July** reporting period for the annual report FHWA 1392 in 23 CFR 230.121 (a)(2):

- *The employment data entered should reflect the work force on board during all or any part **of the last payroll period** preceding the end of the month.*

It has been LCPtracker's experience that the interpretation of "the last payroll period" varies by State DOT or by other agencies that monitor FHWA funding.

Contractors - Please check with your Prime Contractor or Agency Administrator to determine what the appropriate date range is for their FHWA Reporting Period in July.

The two main types of interpretations LCPtracker has seen of "the last payroll period" are as such:

1. Some take this to mean it is a finite week - the last full payroll period in July. This means that only Contractors who performed work during that **one specific week** should be reported.
2. Others define this "last payroll period", to be the week that is **specific to each contractor** individually during the month of July. For example, Company A may have their last performing work week in July during the second week of the month. The hours on this week-end date would be included on the 1391 and 1392 reports as it meets the requirement of their last payroll period. This could be the first week in July for some companies and the last week in July for others.

The FHWA has not issued any formal amendments to clarify this further and are aware that there are varied interpretations of the legislation. In light of this fact, LCPtracker has built in the ability to give clients the results they are looking for, no matter what interpretations are followed, but to do so properly, will depend on the date range entered in the report parameters.

Date Range Details:

This report, like many other in LCPtracker, is built to run by **week-end date** and **not by calendar date**. This is important in understanding how LCPtracker is looking at certified payroll report data.

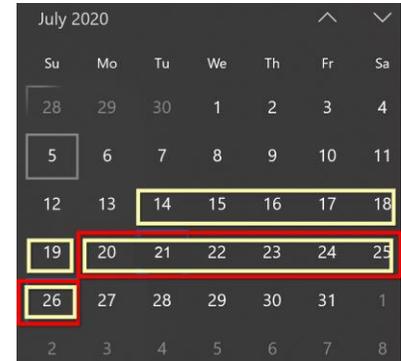
1. If your agency follows the first Interpretation above, then please review the calendar selections and the date ranges to enter and select what is appropriate for your agency's interpretations.
 - a. In the visual calendar samples, the box in **RED** represents the date range you will enter the report parameters.
 - b. The box in **YELLOW** represents what dates will be pulled from in generating the 1391.
 - c. The calendars represented are from 2020.

EXAMPLE A

From Date: 7/20/2020

To Date:7/26/2020

Since the report runs by week-end date and not by calendar date, the report will return data for payrolls with the week-end dates of 7/20/2020, 7/21/2020, 7/22/2020, 7/23/2020, 7/24/2020, 7/25/2020, 7/26/2020



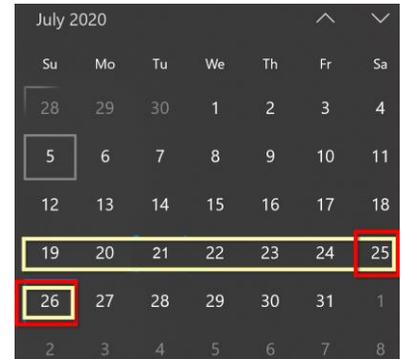
Su	Mo	Tu	We	Th	Fr	Sa
28	29	30	1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	1
2	3	4	5	6	7	8

EXAMPLE B

From Date: 7/25/2020

To Date:7/26/2020

Since the report runs by week-end date and not by calendar date, the report will return data for payrolls with the week-end dates of 7/25/2020, 7/26/2020. Note that Saturday and Sunday are the most common week-end dates on average.



Su	Mo	Tu	We	Th	Fr	Sa
28	29	30	1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	1
2	3	4	5	6	7	8

- If you are an agency that follows the second interpretation above, then you may enter the date range of 07/1 to 07/31, the entire month of July.

The report is dynamic enough, that it will find the last full performing work week in July of each individual contractor within the date range entered. The FHWA 1391 and 1392 reports will be a summation of all the individual last performing work weeks submitted by each Contractor.

SUPPORT

Should you find that you have any further questions, please feel free to contact our Support department anytime, Monday through Friday, 5:00am through 5:30pm PST at (714) 669-0052 option 4.

You may also email them at Support@LCPtracker.com or Chat them via your LCPtracker database.